

AN ORDINANCE BY COUNCILPERSON ANNE FAUVER

AN ORDINANCE TO AMEND CHAPTER 150, ARTICLE IV, DIVISION 1, SECTION 150-99 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA, SO AS TO PROHIBIT A VEHICLE OPERATOR FROM STOPPING, STANDING OR PARKING A MOTOR VEHICLE ON ANY SIDEWALK OR OTHER PEDESTRIAN ACCESS ROUTE ADJACENT TO THE PUBLIC RIGHT OF WAY; TO REPEAL 02-O-0853; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has a responsibility to ensure that City sidewalks are safe for use by the public; and

WHEREAS, the total or partial obstruction of a City sidewalk by a stopped, standing or parked vehicle or any part thereof may create an unsafe and hazardous condition for the public; and

WHEREAS, the City has an interest in making its sidewalks safe for all pedestrians and in conserving the useful life of its sidewalks; and

WHEREAS, the City Council enacted 02-O-0853 on July 1, 2002 which purported to preclude operating or parking a motor vehicle on a sidewalk; and

WHEREAS, the City now wishes to limit and clarify those areas currently subject to Section 150-99 of the Code of Ordinances of the City of Atlanta, Georgia, while still providing for the safety and welfare of all pedestrians.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1. That Section 150-99 of the Code of Ordinances of the City of Atlanta, Georgia, be amended to delete the current language and to insert in lieu thereof the following language:

(a) No person, except as otherwise provided for in subsection (b) below, shall stop, leave standing or park any passenger vehicle, automobile, light truck, sport utility vehicle, or motorcycle, whether attended or unattended, on any portion of a sidewalk or other pedestrian access route adjacent to the public right of way within the City's municipal street system and on extensions of a county road system within the City's corporate limits, except when necessary to avoid conflict with other traffic, or in compliance with the directions of a peace officer or official traffic control device. Any person violating this section shall, on conviction, be punished, as follows:

DATE	FINE
Thru 12/31/03	\$50
01/01/04 thru 12/31/04	\$75
After 12/31/04	\$100

(b) No person shall stop, leave standing or park any motor vehicle operated separately or in combination with any trailer or semitrailer which has either two axles with six or more tires or three or more axles or which has a gross weight in excess of 36,000 pounds, whether attended or unattended, on any portion of a sidewalk or other pedestrian access route adjacent to the public right of way within the City's municipal street system and on extensions of a county road system within the City's corporate limits, except when necessary to avoid conflict with other traffic, or in compliance with the directions of a peace officer or official traffic control device. Any person violating this section shall, on conviction, be punished, as follows:

DATE	FINE
Thru 12/31/04	\$500
After 12/31/04	\$1,000

SECTION 2: That ordinance 02-O-0853 be and is hereby repealed.